

REMARKS

Claims 1-18 remain pending in the present application. Claims 1-3, 5-7, 9 and 10 have been amended. Claims 11-18 are new. Basis for the amendments and new claims can be found throughout the specification, claims and drawings originally filed.

REJECTION UNDER 35 U.S.C. § 102

Claims 1, 2, 4-6 and 8-10 are rejected under 35 U.S.C. § 102(b) as being clearly anticipated by either Kamiya, et al. ('934) or ('358). Applicants respectfully traverse this rejection.

The present invention defines in Claim 1, a ventilation system that includes ventilation determining means for determining whether the ventilation by the ventilating unit needs to be started based on the output of the non-contact temperature sensor. The non-contact temperature sensor detects a surface temperature in the predetermined area of the passenger compartment. The ventilation means uses this sensed temperature to determine if the ventilation unit should be started. If the temperature is above a predetermined temperature the ventilation unit is started. With this configuration, whether or not the ventilation unit is activated (started) is determined by the ventilation determining means. As a result, control of the temperature of the passenger compartment is accomplished using low power consumption.

In independent Claim 5, air-conditioning determining means determines whether the air-conditioning unit needs to be started based on the surface temperature detected by the non-contact temperature sensor. Thus, the air-conditioner provides the same effect as the ventilation system defined in Claim 1.

Kamiya, et al. ('934) and ('358) each teach air-conditioning temperature control according to temperatures detected by a temperature sensor but neither Kamiya reference teaches starting the air conditioner based on the detected temperature. The air conditioner in each Kamiya calculates a target air temperature (TAO) and controls the air volume based on the detected temperatures and (TAO). However, each Kamiya does not teach starting the ventilation or the air-conditioner based upon the detected temperature. In Kamiya ('934) the system is started when a control signal is generated in control panel 150. (column 7, lines 8-12). Control panel 150 generates the control signal based upon input by the occupant M (column 6, lines 28-34) and not by the detection of a temperature by a non-contact temperature sensor. Kamiya ('358) starts the system based upon an operation switch 36 (column 6, lines 27-31) and not by the detection of a temperature by a non-contact temperature sensor.

Thus, Applicants believe Claims 1 and 5, as originally filed, patentably distinguish over the art of record. Likewise, Claims 3 and 4, which ultimately depend from Claim 1, and Claims 6 and 8, which ultimately depend from Claim 5, are also believed to patentably distinguish over the art of record. Reconsideration of the rejection is respectfully requested.

Regarding Claims 9 and 10, they also include the starting of the air conditioner based upon the temperature sensed by the non-contact temperature sensor. Thus, Applicants believe Claims 9 and 10, as originally filed, patentably distinguish over the art of record. Reconsideration of the rejection is respectfully requested.

NEW CLAIMS

New Claims 11-18 are dependent claims which Applicants believe properly further limit one of Claims 1, 5, 9 or 10 and are thus believed to be allowable.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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